

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval (J&A)  
For  
Other Than Full and Open Competition (>\$150K)

1. **Contracting Activity:** Department of Veterans Affairs, NCO 23, Iowa City VA Health Care System (ICVAHCS); Project Number 636A8-14-001 Reconfigure Domestic Water System for Legionella Prevention; Purchase Request 636-15-4-8869-0028
2. **Nature and/or Description of the Action Being Processed:** A new construction project that has a need for name brand sole source items – Johnston Controls Building Automation System (BAS). This is a partial requirement for project 636A8-14-001 Reconfigure Domestic Water System for Legionella Prevention. This project will be solicited as 100% set aside for Service Disabled Veteran Owned Small Business and is a firm fixed price contract.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** Construction Project Number 636A8-14-001 Reconfigure Domestic Water System for Legionella Prevention requires sensors, start/stop controls, programming and system updates to the current Building Automation System (BAS).

The estimated cost for this portion of work on this project [REDACTED]

4. **Statutory Authority Permitting Other than Full and Open Competition:**

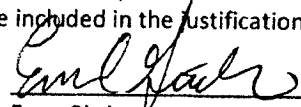
- ( X ) (1) Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements per FAR 6.302-1;
- ( ) (2) Unusual and Compelling Urgency per FAR 6.302-2;
- ( ) (3) Industrial Mobilization, Engineering, Developmental or Research Capability or Expert Services per FAR 6.302-3;
- ( ) (4) International Agreement per FAR 6.302-4
- ( ) (5) Authorized or Required by Statute FAR 6.302-5;
- ( ) (6) National Security per FAR 6.302-6;
- ( ) (7) Public Interest per FAR 6.302-7;

5. **Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):** The existing Building Automation System (BAS) is a major system for the Iowa City VA campus and is currently being provided by Johnson Controls. This system has been established as the BAS standard and has been in use for more than 5 years. The installation of this system established the standard for the medical center and was awarded competitively. The BAS monitors and controls air handling, refrigeration equipment, boiler plant automatic control systems, chill water plant control system, etc. at the Medical Center and is used to provide data that assists the maintenance department in ensuring compliance with Joint Commission requirements and maintaining safe operation. Continued use of Johnson Controls BAS is essential to meet the Government's requirement. There are other BAS that could be purchased for use on this project, but these systems would not be capable of integrating with the full scope of the current BAS. Integration of other BAS would require that a separate platform be established to monitor the system and to date this process has not been

successful. Integration of a different system would not be specific to monitoring the temperature controls for the subject project but would need to be compatible with integrating and sustaining existing monitoring system.

Accordingly, Johnson Controls is the only firm capable of providing the supplies and services described in Section III above without the Veteran's Health Administration experiencing substantial duplication of cost that could not be expected to be recovered through competition and unacceptable delays in fulfilling its requirements.

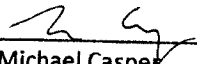
6. **Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** Johnson Controls was selected by a previous contract bidding process for the facilities Building Automation System. This project is a minor extension of the existing system and would be cost prohibitive to change.
7. **Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** The anticipated costs shall be determined Fair and Reasonable by the awarding Contracting Officer based upon market research and past similar requirements that have had this type of work incorporated into the construction project.
8. **Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** Based upon previous acquisitions for the same items, market research has shown to be limited to Johnston and its products. Market research was not completed for this item as it is the selected system for the Medical Center.
9. **Any Other Facts Supporting the Use of Other than Full and Open Competition:** New components must be able to tie into an existing and operational system including the use of software. At this time, there are no competing vendors whose products are fully compatible with the existing system being used at VAICHCS.
10. **Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** None
11. **A Statement of the Actions, if any, the Agency May Take to Remove or Overcome any Barriers to Competition before Making subsequent acquisitions for the supplies or services required:** There are no other vendors available who have fully integrated products or that can provide services for the Johnson Controls Building Automation System. If in the future, other vendors become capable of supplying such products and services, the ICVAHCS will open competition to their products to all capable vendors.
12. **Requirements Certification:** I certify that the requirement outlined in this justification is a Bona Fide Need of the Department of Veterans Affairs and that the supporting data under my cognizance, which are included in the justification, are accurate and complete to the best of my knowledge and belief.

  
Evan Girdner  
COR  
ICVAHCS

5-27-15  
Date

13. Approvals in accordance with the VHAPM, Volume 6, Chapter VI: OFOC SOP.

- a. Contracting Officer's Certification (required): I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

  
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Michael Casper  
Branch Chief  
NCO 23 Construction Team

27 May 15  
\_\_\_\_\_  
Date

- b. Director of Contracting /Designee (Required \$150K and above): I certify the justification meets requirements for other than full and open competition.

Scott J. Petrin

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Scott Petrin  
Division Chief  
NCO 23

Digitally signed by Scott J. Petrin 690037  
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